

To the Secretary of State:

House bill No. 49, entitled "An Act to quiet titles to land located and surveyed by virtue of land certificates granted under the act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State, or of the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such locations and surveys," is herewith transmitted, disapproved for the following reasons:

The surveys upon which these certificates were located are a part of the lands that had been, previous to such locations, appropriated and segregated from the public domain by the Act of July 14, 1879. The provisions of this act were known to the owners of these certificates, or to their agents, at the time they were so located, as is evidenced by correspondence on file in the General Land Office.

These same lands were also set apart to the permanent school fund by the act, approved February 23, 1900, "to define the permanent school fund of the State of Texas, to partition the public lands between said fund and the State, and to adjust the account between said fund and said State; to set apart and appropriate to said school fund, in part payment of said account, the residue of the public domain of said State, to which the said fund is entitled under Section 2, Article 7, of the Constitution, adopted April 17, 1876; to appropriate the sum of seventeen thousand one hundred eighty and twenty-seven one-hundredths dollars to the permanent school fund from the general revenue not otherwise appropriated, in full payment of the balance due to said fund by the State of Texas, under the Constitution of 1876; to provide for the survey, purchase and lease of said land, and the issuance of patents in certain cases; and providing for suit in Travis county against any person claiming any of the lands belonging to the school fund or any other funds."

The bill under consideration seeks to validate the locations thus illegally made without making any compensation whatever to the permanent school fund for the loss sustained. The lands belonging to the public free schools are held in trust by the State, and no part of them should ever be diverted from the purpose for which they were intended without full indemnification.

JOSEPH D. SAYERS,
Governor.

April 23, 1901.